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Intervet Inc.

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BY: Robinaf Meaurio  
Date: 12/30/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:  
MEULMAN, Dirk, et al.

Serial Number: 09/380,695

Group Art Unit: 1617

Filed: March 29, 2002

Examiner: Bahar, M.

For: USE OF A 7 $\alpha$ -METHYL-17 $\alpha$ -ETHYNYL-ESTRANE DERIVATIVE FOR  
THE TREATMENT OF ATHEROSCLEROSIS

Assistant Commissioner of Patents  
Arlington, VA 22313

December 30, 2003

Dear Sir:

REQUEST FOR CONTINUED EXAMINATION PURSUANT TO 37 CFR

§132(b)

I. Submission/Introduction

Applicants respectfully request continued examination of the above referenced application pursuant to 37 CFR §132(b). Prosecution on the above referenced application is closed, as the application is under a final rejection, dated September 30, 2003. Applicants are submitting the fee required pursuant to 37 CFR §1.17(e) and making the following submission. Please charge deposit account 02-2334 for any required fee and to credit any credits. Applicants respectfully respond as follows:

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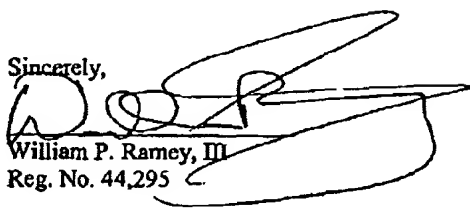
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discussed in *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143, 227 USPQ 543, 551 (Fed. Cir. 1985), it is the prior art itself, and not the applicant's achievement, that must establish the obviousness of the combination. Here, as will be illustrated, Applicants' invention is not rendered obvious by the prior art.

#### IV. CONCLUSION

In light of this response, Applicants respectfully contend that the present invention is not obvious. Further, Applicants respectfully request that the Examiner contact Applicants' undersigned attorney to further the prosecution of the case. Please charge any required fees and credit any credits to deposit account 02-2334. Further, please charge the required fee for this request for continued examination.

Sincerely,

  
William P. Ramey, III  
Reg. No. 44,295

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